

Notice of Allowability

Application No.

10/729,436

Examiner

Sujoy K. Kundu

Applicant(s)

KLING, ET AL.

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/04/05.
2. ☒ The allowed claim(s) is/are 1-13.
3. ☒ The drawings filed on 04 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

Claims 1-13 allowed.

Reason for Allowance

The following is an examiner's statement of reasons for allowance: Regarding Claim 1:

The primary reason for allowance of claim 1 is the inclusion of the limitations of the routine causing a display for each such line of an indication as to whether or not the measured distance represented by the line is within predetermined tolerance limits for the corresponding standard distance. . It is these features found in the claim, as they are claimed in the combination that has not been found, taught, or suggested by prior art of record.

The following patent the current state of the art:

Fields, Jr. et al. (6,476,344) teaches a display system for a measuring system which determines the positions in space of predetermined points (Column 19, Lines 2-3) on an object and measures distances between points of selected pairs of such points, the display system comprising:

a storage device (Fig. 5, Part 105, Column 19, Lines 5-8) storing a library of information relating to objects to be measured including standard distances between points of predetermined pairs of points (Column 19, Lines 2-3) on such objects and/or coordinates of points which can be used to calculate such standard distances,

a display device (Column 18, Lines 64-67), and a processor operating under stored program control and coupled to the storage device (Fig. 5, Part 105, Column 19, Lines 5-8) and comparing measured distances between points of selected pairs of points on an object with corresponding standard distances (Column 19, Lines 2-3, 6-9),

the program including a display routine for causing display of a graphical representation (Fig. 5, Part 105, Column 19, Lines 5-8) of the object being measured and predetermined points thereon and, for each selected pair of such points, a lines between the points (Column 19, Lines 2-3, 6-9).

However, Fields does not teach the routine causing a display for each such line of an indication as to whether or not the measured distance represented by the line is within predetermined tolerance limits for the corresponding standard distance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujoy K. Kundu whose telephone number is 571-272-8586. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SKK
05/24/2005



John Barlow
Supervisory Patent Examiner
Technology Center 2800